

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6142 of 2015

Ajay Kumar Khutey, S/o Shri Bhuvneshwer Lal Khutey, Aged
About 28 Years, Caste Satnamy, R/o Village Jorwa, Police
Station Malkharaud, Tasil and District Janjgir - Champa
(Chhattisgarh)

---- Petitioner

Versus

State of Chhattisgarh Through The District Magistrate,
District Janjgir - Champa (Chhattisgarh)

---- Respondent

For the applicant	:	Mr. Ritesh Verma, Advocate
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 186 of 2015 registered at P.S. Excise Circle, Sakti, District Janjgir Champa (C.G) for the offence punishable under Sections 34(1)(A), 34(2) & 59(A) of the Chhattisgarh Excise Act.
2. The prosecution alleges that on 12.10.2015 when the house of applicant was raided by the police, 15 bulk litres of illicit liquor was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that the applicant is in jail since 12.10.2015. and the seizure having been made, no further investigation is necessary.
4. Per contra, learned State Counsel opposes the bail application. However, he submits that the concerned SHO has reported that the applicant has no criminal antecedents.

5. Taking into consideration the totality of the circumstances and the fact that the quantity of seized liquor in this case is 15 bulk litres; offence is triable by the JMFC and the applicant is in jail since 12.10.2015, this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE